

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7633

BILL NUMBER: HB 1836

NOTE PREPARED: Feb 25, 2005

BILL AMENDED: Feb 24, 2005

SUBJECT: Local Spending on Criminal Defense.

FIRST AUTHOR: Rep. Ayres

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) This bill provides that a county, municipality, township, or municipal corporation may not pay the legal expenses of an employee or officer to defend against a criminal action, certain civil actions, or a proceeding in which the employee or officer is charged with an infraction. The bill also requires reimbursement of the reasonable expenses of the employee or officer (as determined by the local unit) if the employee or officer is found to have no criminal or civil liability.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: The fiscal impact of this bill is dependent on whether such defense expenses are already being paid by a unit. If so, this bill could limit the expenses incurred by a local unit to those paid only when the defendant's charges are dropped or if the defendant wins the case. However, the bill could have a negative fiscal impact on the local unit if defense expenses must be reimbursed that otherwise would not have been spent for such a purpose.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Counties, municipalities, townships, or municipal corporations.

Information Sources:

Fiscal Analyst: Valerie Ruda, 317-232-9867.